

WHAT'S NEW IN WORKERS' COMPENSATION?

To continue to provide you with information related to workers' compensation, here is the 4th edition of the Workers' Compensation Newsletter. We hope that you find this information useful. If you have any questions, please call Ayanna Smith at (301) 734-7488 or Denise Coleman at (301) 734-8350.

Hot topics:

Coding of Office of Workers' Compensation Forms: According to a memorandum from James Stevens, Director, Safety, Health and Employee Welfare Division, USDA, 20 percent of the forms submitted are coded incorrectly. This involves the designation of the type, and/or source of employee injuries/illnesses as "Unclassified, or Unknown". Because of the overuse of these codes, the entire database is made less useful. The database serves as USDA's injury/illness recordkeeping system and is our only source of data to identify systemic safety hazards which need to be addressed agency-wide. USDA is required to submit a summary of this data as part of the Annual Report to the Department of Labor (DOL). In order to ensure that forms are coded correctly, the Department has told us to:

- Limit the practice of classifying injuries/illnesses as "Unclassified or Unknown". These classifications should only be used on rare occasions.
- Establish an internal review process to ensure forms are not submitted to DOL unless properly coded as the "Type and Source" of the injury/illness.
- Review agency illness/injury data on a quarterly basis to ensure compliance with coding requirements.

In order to assist in implementing these program changes, USDA has added a link to their web page which provides a list of all OWCP codes. These links are located at www.usda.gov/da/shmd/owcpcode.htm.

Trip to Regional Office: On June 12, 2000, Denise Coleman and Ayanna Smith traveled to the Department of Labor's District Office in Washington, DC. Ms. Smith and Ms. Coleman were given a briefing on doing long-term case file reviews. Of the 14 cases reviewed:

- 4 had no current medical information
- 1 had questionable charges paid
- 1 had the wrong MRP chargeback code
- 1 wasn't an MRP employee

In total, 63 percent of the reviewed cases had errors that could result in incorrect charges. Please notify Denise Coleman at (301) 734-8350 if you have any long-term cases that you would like reviewed.

Follow-up to OIG Audit: As a follow-up to the OIG Audit conducted in August 1999 (discussed in the 3rd newsletter), Mr. Bill Hudnall, Deputy Administrator, Marketing and Regulatory Programs Business Services (MRP-BS), sent a memo to OIG asking if any of the work-capable claimants identified were employed by AMS or APHIS. OIG responded that one employee was with AMS and another was

with APHIS and provided the employees' names. We are pleased to report that when information was gathered from DOL on these employees, they had both returned to work.

Federal Worker 2000 Data: Due to the Federal Worker 2000 Initiative, DOL now has to report the number of lost production days resulting from job-related injuries. DOL is requiring that all payroll offices provide them with the time charged to Continuation of Pay (COP) on a quarterly basis. The National Finance Center (NFC) will send DOL a cumulative summary report which will show the injury leave hours for each quarter by department and agency. In addition to the DOL report, NFC will provide agencies with a COP detailed report that reflects the same data.

Please review these reports when they are received. We have found cases where employees with occupational diseases have received COP. Only traumatic injury claimants are entitled to COP.

Effective with Pay Period 6, a new quarterly report, U.S. Department of Agriculture Continuation of Pay Detail Report, was added to the Payroll/Personnel Output Procedure. This report will provide the time charged to COP based on the number of hours recorded under Transaction Code 67, Injury Leave, on all regular and corrected T&A's that were processed in the current quarter, as well as changes to the three prior quarters.

Telecommuting Considerations: While the Occupational Safety and Health Administration has decided to forego inspecting the home offices of telecommuters, an injury that's incurred during work performed at home may be covered by Workers' Compensation. There are many common hazards lurking in home offices that managers can take steps to prevent and correct. Supervisors may want to conduct periodic on-site inspections to identify potential problems. Here are some things to look for in the designated work area:

- ✓ Is the work space quiet and reasonably well-ventilated?
- ✓ Is all electrical equipment free of frayed, loose, or exposed wires or bare conductors?
- ✓ Are doorways and aisles free of obstructions?
- ✓ Are phone lines, electrical cords, and extension wires secured under a desk or alongside a baseboard?
- ✓ Is a fire extinguisher easily accessible in the office space?
- ✓ Is a working smoke detector within hearing/sight distance of the work space?
- ✓ Are carpets well-secured to the floor and free of frayed or worn seams?

Section 508 of the Rehabilitation Act of 1973:

Section 508 of the Rehabilitation Act of 1973, as amended, requires that when Federal agencies develop, procure, maintain, or use Electronic and Information Technology (EIT) they must ensure that the acquired EIT allows employees with disabilities to have access to and use of information or data that is comparable to the access to and use of information or data by employees without disabilities, unless an undue burden would be imposed on the agency. Employees and members of the public have the right to file complaints alleging non-compliance with the Act beginning August 7, 2000. These

complaints will be processed under the administrative procedures established to resolve allegations of discrimination.

Please ensure that you are accommodating employees who have returned to work after injury with the appropriate equipment. For assistance, please call the USDA Target Center at (202) 720-2600. The purpose of the Target Center is to support the USDA with technology and ergonomic solutions. A central funding source is available to purchase equipment needed to accommodate disabled employees.

Upcoming events:

The 2nd Annual Federal Workers' Compensation Conference and Exposition is August 13-17 at Disney's Coronado Springs Resort, Lake Buena Vista, Florida. The purpose of this conference is to provide the most effective and efficient workers' compensation case management training available. Expert faculty from a variety of Federal Departments and the private sector will provide "Best Practices" utilized by their personnel to effectively and efficiently manage a Workers' Compensation Program. For additional information, please call Ayanna Smith at (301) 734-7488. Ms. Smith found last year's conference quite informative.

The USDA Graduate School is offering "Workers' Compensation and Disability Retirement" training on August 29-30 in Washington, DC. This course is a starting point for developing skills on how to handle Office of Workers' Compensation Program (OWCP) and federal disability retirement claims. For additional information, please call the USDA Graduate School at (202) 314-3400.